REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL
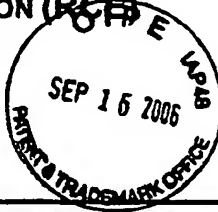
Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SEP 16 2006

Application Number	10/049,635
Filing Date	February 25, 2002
First Named Inventor	MATSUI et al.
Group Art Unit	2624
Examiner Name	A. Mackowey
Attorney Docket Number	100021-00073

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114**

   a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
   - i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
   - ii. ☐ Other _____

   b. ☒ Enclosed
   - i. ☐ Amendment/Reply
   - ii. ☐ Affidavit(s)/Declaration(s)
   - iii. ☒ Information Disclosure (IDS)
   - iv. ☐

2. **Miscellaneous**

   a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

   b. ☐ Other _____

3. **Fees**   The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

   a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-2300. A duplicate copy of this sheet is enclosed.
   - i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
   - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
   - iii. ☒ Other   Any additional fees which may be due

   b. ☒ Enclosed is Check in the amount of $790.00

   c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Michele L. Connell	Registration No. (Attorney/Agent)	52,763
Signature)	*Michele L. Connell*	Date	September 15, 2006

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	
Signature	Date

09/18/2006 JADD01   00000030 10049635
01 FC:1801   790.00 OP

Adjustment paid 4/22/0 @ CKHLOK

1801   -790.00 OP

Repln. Ref: 09/22/2006 CKHLOK 0010261300
DAB:012300 Name/Number:10049635
FC: 9204 $790.00 CR

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR **PATENT** FEE REFUND				
1 Date of Request: 09/22/06		2 Serial/Patent # 10/049,635		

3 Please refund the following fee(s):	4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
Filing			$
Amendment			$
Extension of Time			$
Notice of Appeal/Appeal			$
Petition			$
Issue			$
Cert of Correction/Terminal Disc.			$
Maintenance			$
Assignment			$
X Other 1801 RCE		9/15/06	$ 790.00

	7 TOTAL AMOUNT OF REFUND	$ 790.00

8 TO BE REFUNDED BY:

	Treasury Check
X	Credit Deposit A/C #:

9 | 0 | 1 | -- | 2 | 3 | 0 | 0 |

10 REASON:

	Overpayment
	Duplicate Payment
X	No Fee Due (Explanation):

The 9/15/06 petition to withdraw from issue did not reach the petition's office until after the application issued; therefore, the RCE is improperly filed.

11 REFUND REQUESTED BY:

TYPED/PRINTED NAME: Irvin Dingle   TITLE: Paralegal

SIGNATURE: _____   PHONE: 571-272-3210

OFFICE: Office of Petitions

****
THIS SPACE RESERVED FOR FINANCE USE ONLY:

APPROVED: _____   DATE: _____

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

**Office of Finance
Refund Branch
Crystal Park One, Room 802B**

FORM PTO 1577
(01/90)

History

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